

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

RICHARD B. TOBIAS,
Plaintiff,

v.

KEN PRICE, *Courtroom Security Officer*,
Defendant.

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No. 3:06-CV-1361-M

ORDER ACCEPTING FINDINGS, CONCLUSIONS & RECOMMENDATION
OF THE UNITED STATES MAGISTRATE JUDGE

The Court has under consideration the Findings, Conclusions, & Recommendation of the United States Magistrate on *Defendant Kenneth Price's Motion For Summary Judgment* filed July 22, 2009, and a motion for contempt and motions for summary judgment contained within *Plaintiff Tobias' Response to Defendant Price' [sic] Motion for Summary Judgment*, filed August 10, 2009. Objections were filed, and the District Court has made a *de novo* review of those portions of the proposed Findings, Conclusions, & Recommendation to which objection was made. The objections are overruled, and the Court accepts the Findings, Conclusions, & Recommendation of the United States Magistrate Judge.

Defendant Kenneth Price's Motion For Summary Judgment filed July 22, 2009, (doc. 64) is **GRANTED**. The motions for contempt and for summary judgment contained within the Tobias response (doc. 73) are hereby **DENIED**, and Plaintiff's Supplemental Declaration filed on October 23, 2009, is stricken as untimely.

SIGNED this 4th day of November, 2009



BARBARA M. G. LYNN
UNITED STATES DISTRICT JUDGE
NORTHERN DISTRICT OF TEXAS